

**AMENDMENTS TO THE DRAWINGS:**

The attached sheet of drawing includes changes to Fig. 4(a). Specifically, Fig. 4(a) has been amended (i.e., changing “3103” to  
5 “33101” and changing “331” to “3310”) to be consistent with the specification. Support for the above amendment is found in the remainder of the specification (e.g., the disclosure on page 3, paragraph 47).

The sheet including Fig. 4(a) and Fig. 4(b) replaces the original  
10 sheet including Fig. 4(a) and Fig. 4(b).

Attachment: Replacement Sheet

Annotated sheet showing Change

15

### **REMARKS**

Applicant appreciates the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the following remarks.

5

Claims 1-10 are pending in the application. Claim 1 has been amended to improve the claim language, not to distinguish the present invention from the cited art. Claims 3 and 6 have been amended solely to address the indefiniteness issues raised by the examiner, not to distinguish the present invention from the cited art or record. These claims contain no new matter nor raise new issues.

10

#### **Rejection of claims 6-10 under the second paragraph of 35 USC**

**112**

15

The Office Action states that it is unclear what is meant by the "the adjustable capacitor generates inductance..." In response thereto, this unclear part recited in claim 6 has been deleted.

20

Accordingly, the withdrawal of the outstanding informality rejection is in order, and is therefore, respectfully solicited.

**Rejection of claims 1-2 under 35 USC § 103(a) as being unpatentable over Shintani et al. (US 6,583,677) in view of**

**Nakano (US 5,952,901)**

Claim 1 is directed to a phase noise fine tuning electronic device comprising a resonance circuit, a coupling circuit, and an oscillating circuit. A first lower micro-strip patterned in a second conductive layer, a first upper micro-strip patterned in a first conductive layer and an insulation layer together form an adjustable capacitor of the coupling circuit. The phase noise of the voltage control oscillator is diminished by cutting the first upper micro-strip to change capacitance of the adjustable capacitor.

Amended claim 1 specifically requires that the phase noise of the voltage control oscillator is diminished by cutting the first upper micro-strip to change capacitance of the adjustable capacitor of the coupling circuit. The above feature and advantage are neither disclosed, taught, nor suggested by any of the applied references.

As correctly noted in the Office Action, Shintani et al. do not teach a capacitance being formed and tuned between the patterned layers. Shintani only discloses that the inductance of the inductor is adjusted by adjusting the length and width of the internal conductor pattern lower layer 1c which constitutes the inductor L. Therefore, Shintani teaches away from that the first lower micro-strip, a first upper micro-strip and an insulation layer together form an adjustable

capacitor of the coupling circuit, and the phase noise of the voltage control oscillator is diminished by cutting the first upper micro-strip to change capacitance of the adjustable capacitor. The present invention is surely patentable over this cited reference.

5

The Examiner alleged in the Office Action that Nakano discloses an adjustable capacitance that may be part of a vco. However, Nakano only discloses that the parallel electrodes 5a are separated at the connection points 5c from the connection portion 5b for reducing the capacitance between the MSL4 and the ground, and changing the characteristic impedance of the MSL (see column 3, lines 35-53). Therefore, Nakano teaches away from that the first lower micro-strip, a first upper micro-strip and an insulation layer together form an adjustable capacitor of the coupling circuit, and the phase noise of the voltage control oscillator is diminished by cutting the first upper micro-strip to change capacitance of the adjustable capacitor. The present invention is surely patentable over this cited reference.

Accordingly, even if the teachings of Shintani et al. and Nakano were combined as suggested by the Examiner, the result would still fail to teach or suggest every feature of amended claim 1. As a result, a prima facie case of obviousness has not been established by the Examiner, the 35 USC §103(a) rejection as to claim 1 is not well founded, and should be withdrawn. Claim 2 depends from

independent claim 1 and is thus patentable as well.

**CONCLUSION**

5           In light of the above remarks, all objections and rejections  
having been addressed, it is respectfully submitted that the present  
application is in a condition for allowance and a Notice to that effect  
is earnestly solicited. The Commissioner is authorized to charge any  
fees due and credit any overpayments to the Glenn Patent Group  
10   Deposit Account No. 07-1445, Customer No. 22862.

Respectfully submitted,



15           Michael A. Glenn  
Reg. No. 30,176

Customer No. 22,862

20